

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

In re:

**JODELL M. ALTIER,
Debtor.**

**Case No: 6:15-bk-01838-KSJ
Chapter 7**

_____/

**GOSHEN MORTGAGE, LLC,
Plaintiff,**

v.

ADV. NO.: 6:15-ap-00156-KSJ

**JODELL M. ALTIER,
Defendant.**

_____/

**GENE T. CHAMBERS, Trustee,
Plaintiff,**

vs.

ADV. NO. 6:16-ap-00013-KSJ

**JODELL ALTIER, JENNIFER E.
SANDMAN and JILL A ALTIER, as
Successor Co-Trustees of the ALTIER
FAMILY IRREVOCABLE TRUST U/A DTD
7/9/2002, GRANDE LEGACY GROUP (a
Texas Joint-Stock Company) of Orange
County, Florida, and JOSEPH E. ALTIER, as
Trustee of Orange County, Florida,
Defendants.**

MOTION FOR SUBSTITUTION OF PARTY PLAINTIFF

Goshen Mortgage, LLC (“Goshen”), by and through its undersigned attorneys, requests that Goshen replace Gene T .Chambers, Trustee (the “Trustee”) as Plaintiff with respect to all claims and other causes of action the Trustee has against the Debtor and other third parties (the “Motion”), and in support states:

RELEVANT FACTS

1. Through this motion, Goshen seeks to effectuate relevant parts of this Court's *Order on Motion for Approval of Compromise of Controversy Between Trustee and Debtor (Doc. 91) and the Objection of Goshen Mortgage (Doc. 96)* [Doc. No. 123] (the "Sale Order") entered in the main bankruptcy case on July 25, 2016.

2. Goshen has made the payment to the Trustee as required by the Sale Order and otherwise closed on the subject sale (Sale Order, paragraph 3.a.).

3. The Sale Order provides in relevant part:

- 3.
- d. Upon receipt of the Funds, the Trustee shall assign to Goshen all claims and other causes of action the Trustee has against the Debtor and other third parties, including but not limited to all claims brought in that certain adversary proceeding 6:15-ap-00156-KSJ.

Sale Order, paragraph 3.d. (Doc. No. 123, Case No. 6:15-bk-01838-KSJ)

3. As a result of the consummation of the Sale Order, the Trustee assigned Goshen all claims and other causes of action the Trustee has against the Debtor and other third parties, including but not limited to, all claims brought in Adversary Case Number 6:16-ap-00013-KSJ.

4. Goshen seeks to finalize the transfer of the claims by becoming the proper party plaintiff in the instant action and relieve the Trustee and her counsel from any further responsibility related to the instant case.

5. The undersigned counsel has consulted with counsel for the Trustee regarding the relief requested in this Motion and represents she has no objection to the relief requested in the instant Motion.

WHEREAS, Goshen Mortgage, LLC respectfully requests the entry of an order: (i) granting the Motion; (ii) allowing Goshen to substitute in as party plaintiff and relieve the Trustee; and (iii) modify the style of the case to evidence the change.

RESPECTFULLY SUBMITTED this 6th day of September, 2016.

/s/ Justin M. Luna

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Defendants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of **MOTION FOR SUBSTITUTION OF PARTY PLAINTIFF**, has been furnished electronically to those parties entitled to receive electronic notice in this case, and/or by U.S. First Class, postage prepaid mail to: Jonathan B. Alper, Esq., 274 Kipling Court, Heathrow, Florida 32746, via email to: jalper@alperlaw.com, Grande Legacy Group, c/o Darrin C. Lavine, as Trustee for Grande Legacy Group, 2170 W. SR 434, Suite 260, Longwood, Florida 32779, via email to: dlavine@titanreservegroup.com; Grande Legacy Group, c/o Darrin C. Lavine, as Trustee for Grande Legacy Group, 2507 Roat Drive, Orlando, Florida 34786-7359; Gene T. Chambers, c/o Michael A. Nardella, Esq., Nardella & Nardella, PLLC, 250 East Colonial Drive, Suite 102, Orlando, Florida 32801, via email to

mnardella@nardellalaw.com and akeppel@nardellalaw.com; Jennifer E. Sandman, as Trustee of the Altier Family Irrevocable Trust, 13424 Swan Sea Avenue, Windermere, Florida 34786-7359; and Jill A. Altier, as Trustee of the Altier Family Irrevocable Trust, 2507 Roat Drive, Orlando, Florida 32835; and Jonathan Bull, Esq., The Liberty Law Team, 172 W. Warren Avenue, Longwood, Florida 32750 and via email to jon@libertylawteam.com this 6th day of September 2016.

/s/ Justin M. Luna

Justin M. Luna, Esq.